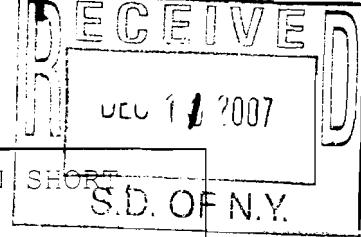


FILE COPYUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MENTAL HYGIENE LEGAL SERVICE and SHAWN SHORT



Plaintiffs,

- against -

ELIOT SPITZER, in his official capacity as Governor of the State of New York, ANDREW CUOMO, in his official capacity as Attorney General of the State of New York, MICHAEL HOGAN, in his official capacity as Commissioner of the New York State Office of Mental Health, DIANA JONES RITTER, in her official capacity as Commissioner of the New York State Office of Mental Retardation and Developmental Disabilities, and BRIAN FISCHER, in his official capacity as Commissioner of the New York State Department of Correctional Services,

Defendants.

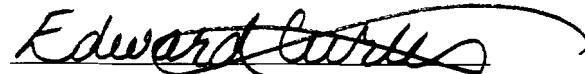
**DEFENDANTS'
NOTICE OF
APPEAL**

Docket
Number07-CV-2935
(GEL) (THK)

Defendants ELIOT SPITZER, ANDREW CUOMO, MICHAEL HOGAN, DIANA JONES RITTER and BRIAN FISCHER, hereby appeal to the United States Court of Appeals for the Second Circuit from the Court's Preliminary Injunction and Order filed on December 10, 2007.

Dated: New York, New York
December 11, 2007

ANDREW M. CUOMO
Attorney General of the State
of New York
Attorney for Defendants
By:


EDWARD J. CURTIS, JR.
Assistant Attorney General
120 Broadway, 24th Floor
New York, New York 10271
Tel. No. (212) 416-8641

TO:

MARVIN BERNSTEIN
Director, Mental Hygiene Legal
Service for the First
Judicial Department
(SADIE ZEA ISHEE, of Counsel)
Attorney for Plaintiff
41 Madison Avenue, 26th Floor
New York, New York 10010
Tel. (212) 779-1734
Fac. (212) 779-7899

SIDNEY HIRSCHFELD
Director, Mental Hygiene Legal
Service for the Second
Judicial Department
(DENNIS B. FELD, of Counsel)
Attorney for Plaintiff
170 Old Country Road, Suite
500
Mineola, New York 11501
Tel. (516) 746-4373
Fac. (516) 746-4372

SHEILA E. SHEA
Director, Mental Hygiene Legal
Service for the Third
Judicial Department (HOLLIE
S. LEVINE, of Counsel)
Attorney for Plaintiff-
Intervenor
State Office Building
44 Hawley Street, Room 1602
Binghamton, New York 13901-
4435
Tel. (607) 721-8440
Fac. (607) 721-8447